THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.16994 OF 2006

DATED: 14.8.2006

BETWEEN:

Parachuri Rajyalakshmi … petitioner.

And

The Commissioner,
Municipal Corporation of Hyderabad. … Respondent.

THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.16994 OF 2006

ORDER:

The writ petition is filed for a writ of mandamus declaring the impugned notice issued by the respondent in Lr.No.2189/TP/MCH/SD/2006 dated 8.8.2006 under Section 636 of Hyderabad Municipal Corporation Act served on him on 11.8.2006 at 6.00 P.M. as illegal, arbitrary and violative of Hyderabad Municipal Corporation Act and violative of Article 14 and 300-A of the Constitution of India and to pass such other order.

Several factual details had been narrated at length in the affidavit filed in support of the writ petition. The main grievance of the petitioner is that the notice under Section 636 of the Hyderabad Municipal Corporation Act 1955 had been straightaway issued without issuance of any notice under Section 452 of the said Act. The learned counsel also would submit that straightaway three days time had been given without putting the petitioner on any notice and without affording any opportunity to explain her stand in this regard.

In view of the facts and circumstances explained the impugned order to be treated as show cause notice and the petitioner is permitted to file her objections, if any, within two weeks from today and the respondents to consider the said objections and pass appropriate orders. Till then not to resort any demolition activity in relation to the subject matter of the writ petition.

With the above direction, the writ petition is disposed of. No costs.

14.8.2006.

Note:
Issue wire at party's cost.
B/o.
Mdaa.

THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.16994 OF 2006

Dated: 14.8.2006